

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

DIEGO ARMANDO MORALES JIMENEZ,
Petitioner,

Case No. 3:25-cv-00570-MTK

ORDER

v.

DREW BOSTOCK, Seattle Field Office
Director, Immigration and Customs
Enforcement and Removal Operations
("ICE/ERO"); TODD LYONS, Acting
Director of Immigration Customs
Enforcement ("ICE"); U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT; KRISTI
NOEM, Secretary of the Department of
Homeland Security ("DHS"); U.S.
DEPARTMENT OF HOMELAND
SECURITY; and PAMELA BONDI, Attorney
General of the United States,

Respondents.

KASUBHAI, United States District Judge:

Petitioner Diego Armando Morales Jimenez filed this Petition for Writ of Habeas Corpus on April 8, 2025. ECF No. 1. Pursuant to 28 U.S.C. § 2243, by April 14, 2025, Respondents are ordered to show cause in writing why the Petition should not be granted.

No later than April 9, 2025, at 5:00 p.m., counsel for Petitioner is ordered to send a copy of the Petition and this Order by e-mail to the United States Attorney's Office for the District of

Oregon. No later than April 10, 2025, at 5:00 p.m., counsel for Petitioner is ordered to serve Respondents with summons, the Petition, and this Order, in compliance with Federal Rule of Civil Procedure 4, and to file proof of such service.

A status conference is set before the Court on April 11, 2025, at 10:00 a.m. at the Mark. O. Hatfield Courthouse. Counsel for Petitioner and Respondents shall appear in person. The Court will set a briefing schedule and hearing date at that time.

Finally, to preserve the Court's jurisdiction over this matter, Petitioner shall not be physically removed from the District of Oregon until this matter is resolved or this order is vacated. *See United States v. United Mine Workers of Am.*, 330 U.S. 258, 293 (1947) ("District Court ha[s] the power to preserve existing conditions while it . . . determin[es] its own authority to grant injunctive relief"); *see also Garcia-Izquierdo v. Gartner*, No. 04 CIV. 7377 (RCC), 2004 WL 2093515, at *2 (S.D.N.Y. Sept. 17, 2004) ("Under the All Writs Act, 28 U.S.C. § 1651, the Court may order that a petitioner's deportation be stayed . . . when a stay is necessary to preserve the Court's jurisdiction of the case").

DATED this 9th day of April 2025.

s/ Mustafa T. Kasubhai
MUSTAFA T. KASUBHAI (He / Him)
United States District Judge